

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION**

Randal Alan Arnold,

Plaintiff,

v.

Case No. 2:10-cv-13

**Michael J. Astrue, Commissioner
of Social Security,**

Judge Michael H. Watson

Defendant.

ORDER

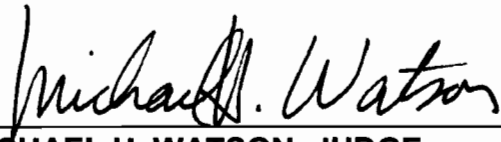
This matter is before the Court on the Magistrate Judge's October 7, 2010 Report and Recommendation. ECF No. 20. The Magistrate Judge recommends that the Court deny plaintiff's motion for summary judgment, grant defendant's motion for summary judgment, and affirm the decision of the Commissioner of Social Security. Report and Recommendation 15, ECF No. 20.

The Report and Recommendation of the Magistrate Judge specifically advises the parties that the failure to object to the Report and Recommendation within fourteen days of the Report results in a "waiver of the right to *de novo* review by the District Judge and waiver of the right to appeal the judgment of the District Court." Report and Recommendation 16, ECF No. 20. The time period for filing objections to the Report and Recommendation has expired. Plaintiff has not objected to the Report and Recommendation.

The Court has reviewed the Report and Recommendation of the Magistrate Judge to whom this case was referred pursuant to 28 U.S.C. § 636(b). Noting that no

objections have been filed and that the time for filing such objections has expired, the Court **ADOPTS** the Report and Recommendation of the Magistrate Judge. Plaintiff's motion for summary judgment is **DENIED**. Defendant's motion for summary judgment is **GRANTED**. The decision of the Commissioner of Social Security is **AFFIRMED**. The Clerk of Court is **DIRECTED** to enter **JUDGMENT** for defendant. This action is hereby **DISMISSED**.

IT IS SO ORDERED.



MICHAEL H. WATSON, JUDGE
UNITED STATES DISTRICT COURT